

AUCTIONEERS—AUCTION COMPANIES—LICENSURE

CHAPTER 619

S. B. No. 925

AN ACT

relating to the regulation of auctioneers; amending Chapter 320, Acts of the 64th Legislature, Regular Session, 1975, as amended (Article 8700, Vernon's Texas Civil Statutes), by adding Section 10A and Subdivision (10) to Section 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1, Chapter 320, Acts of the 64th Legislature, Regular Session, 1975, as amended (Article 8700, Vernon's Texas Civil Statutes), is amended by adding⁸⁹Subdivision (10) to read as follows:

"(10) 'Auction company' means a person, partnership, corporation, association, or other legal entity that engages in the business of arranging, managing, sponsoring, advertising, or conducting auctions."

SECTION 2. Chapter 320, Acts of the 64th Legislature, Regular Session, 1975, as amended (Article 8700, Vernon's Texas Civil Statutes), is amended by adding⁹⁰Section 10A to read as follows:

"Section 10A. EMPLOYMENT BY AUCTION COMPANY. A person who holds a license issued under this Act may not act as a auctioneer for an auction company unless the company is owned or operated by a person who is licensed under this Act."

SECTION 3. This Act takes effect September 1, 1983.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an

89. Vernon's Ann Civ.St art 8700, § 1, subd. 10. 90. Vernon's Ann Civ.St. art. 8700, § 10A.
(10)

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emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on May 12, 1983: Yeas 31, Nays 0; passed the House on May 24, 1983: Yeas 139, Nays 4, two present not voting.

Approved June 19, 1983.

Effective Sept. 1, 1983.

**STATE AGENCIES—FRIVOLOUS CLAIMS—COSTS AND
ATTORNEY'S FEES**

CHAPTER 620

S. B. No. 926

AN ACT

relating to recovery of costs and attorney's fees in defense of a frivolous claim raised by a state agency; amending Chapter 727, Acts of the 67th Legislature, Regular Session, 1981 (Article 2226b, Vernon's Texas Civil Statutes), by amending Sections 1, 2, 3, and 4; by repealing current Section 5; and by adding a new Section 5

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 1, 2, 3, and 4, Chapter 727, Acts of the 67th Legislature, Regular Session, 1981 (Article 2226b, Vernon's Texas Civil Statutes), are amended⁹¹ to read as follows:

"Section 1. DEFINITIONS. In this Act:

"(1) 'State agency' means a department, commission, board, office, or other agency that:

"(A) is in the executive branch of state government;

"(B) has authority that is not limited to a geographical portion of the state; and

"(C) was created by the constitution or a statute of this state.

"(2) 'Party' [~~'Defendant'~~] means an individual, partnership, corporation, association, or a public or private organization other

91. Vernon's Ann.Civ.St. art. 2226b, §§ 1 to 4

Additions in text indicated by underline; deletions by [~~strikeouts~~]